IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 23534 of 2004

Between:

Mr.G.Joshua, s/o late Sri G.Prakasam,
R/o Quarter No.331-D, Ramachandrapuram, Medak District.

... PETITIONER

AND

1 The Mandal Revenue Officer, Ramachandrapuram Mandal,

Medak District.
2 Hyderabad Urban Development Authority, Begumpet,

Hyderabad represented by its Vice Chairman and Managing

Director

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to grant order, direction or writ, more so in the nature of writ of mandamus, declaring the action of the respondents in seeking to dispossess the petitioner from the lands namely 1 acre 30 guntas of land in Survey No.327 and 1 acre 10 guntas of land in Survey No.325 of Tellapur Village and Gram Panchayat and the further inaction of the respondent No.1 in considering the application of the petitioner to issue pattadar passbook and title deed with regard to the above land is arbitrary and violative of Article 14 and 300(A) of Constitution of India and without jurisdiction and authority of law and consequently to direct the respondent No.1 to consider the application of the petitioner dated 23-9-2004 and issue pattedar passbook and title deed to the petitioner with regard to the lands namely 1 acre 30 guntas of land in Survey No.327 and 1 acre 10 guntas of land in Survey No.325 of Tellapur village and Gram Panchayat and further to direct the respondents not to interfere with the possession of the petitioner over the lands namely 1 acre 30 guntas of land in Survey No.327 and 1 acre 10 guntas of land in Survey No.325 of Tellapur Village and Gram Panchayat.

Counsel for the Petitioner: MR.R.RAGHUNANDAN
Counsel for the Respondent No.1: G.P. FOR REVENUE

Counsel for the Respondent No.2: Mr. B. Viswanatha Reddy

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed to declare the action of the respondents seeking to dispossess the petitioner from the lands viz., Ac.1.30 guntas in S.No.327 and Ac.1.10 guntas in S.No.325 of Tellapur village and Gram Panchayat as illegal and arbitrary and further the inaction of the respondent No.1 in not considering the application of the petitioner dated 23-09-2004.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent; the writ petition is being disposed of finally at the stage of admission.

3. Petitioner claims that his father, late Sri G. Prakasam, an ex-service man, had been assigned Ac.1.30 guntas of land in S.No.327 and Ac.1.10 guntas of land in S.No.325 of Tellapur Village and Gram Panchayat, vide proceedings No.D2/101/68 dated 29-09-1969 in pursuance of G.O.Ms.No.1406 dated 25-07-1958. It is the case of the petitioner that since then, his father had been cultivating the said land and had been shown as the owner of the lands in the revenue records upto 1985. After the demise of the petitioner's father, on enquiry, it was found that the name of the petitioner's father had not been shown in the pahanies from 1986-87. Thereafter, petitioner said to have approached the revenue authorities and sought necessary rectification in the pahanies. Due to the inaction on the part of the respondents, petitioner addressed a letter dated 23-09-2004 to the first respondent to enquire into the matter and issue pattedar passbooks and title deeds with regard to the above lands, but so far no action had been taken on the representation said to have been submitted by the petitioner and the respondents are trying to dispossess the petitioner from the lands allotted to his father.

4. Inasmuch as the representation of the petitioner dated 23-09-2004 is pending before the first respondent, I deem it appropriate to dispose of the writ petition with the following direction.

5. The first respondent – Mandal Revenue Officer is hereby directed to consider the representation of the petitioner dated 23-09-2004 and pass appropriate orders thereon, within a period of four months from the date of receipt of a copy of this order, in accordance with law.

The writ petition is accordingly disposed of at the admission stage.

_____

N.V. RAMANA, J

December 23, 2004

MRR / TVK

To:

1 The Mandal Revenue Officer, Ramachandrapuram Mandal,

Medak District.

2 The Vice Chairman and Managing

Director, Hyderabad Urban Development Authority, Begumpet,

Hyderabad

3 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

4 Two C.D. Copies.